

REMARKS

Amended claims 1, 3, 4, 10-13, 15, 16, 18, 19, 21, 22 and new claims 23-27 are now in the case and believed to be fully supported by the disclosure. No new matter is being introduced herewith.

The Specification, pages 8 to 14 have been amended to be consistent with the language of the claims. No new subject matter has been added.

Claims 1 and 21 have been amended by the Applicant by removing the term “capable of” to overcome the objections raised by the Examiner in paragraph 3 of the Office Action. Claim 14 has been deleted without prejudice.

With respect to the objected to “whereby” statement in claims 1 and 3, please note that the Applicant has retained the “whereby” statement as it completes the claim.

Claim 3 has been amended to overcome the Examiner’s objection by removing the objected to “adapted to” term, and now reads “a blast mitigating material significantly reducing a strength of a blast”.

Claim Rejections – 35 USC § 112

Claims 2 and 9 have been cancelled therefore the rejection of these claims is obviated.

Claim Rejections – 35 USC § 102

Claims 1, 2, 9 and 10 have been rejected by the Examiner under 35 U.S.C s, 102(b) as being anticipated by US Patent No. 6,454,085 B1 to Barker.

Claim 1 has been amended to overcome the Examiners rejection. The Applicant affirms that Barker does not show a collapsible seamless enclosure made of walls formed by a plurality of independent interleaved plies of material. Barker does not teach nor suggest a seamless bag. Therefore, there is no embodiment disclosed by Barker which could fall within the scope of the claims since the present application contains elements that are not disclosed by Barker.

Claims 2 and 9 have been cancelled therefore the rejection of these claims is obviated.

Claim 10 is dependent on claim 1 and therefore Barker does not anticipate claim 10 for the reasons set forth above.

Claims Rejections - 35 USC § 103

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Claims 3-8, 10, 11, 14, 15, 19, 20 have been rejected by the Examiner under 35 U.S.C. 103(a) as being obvious in light of Barker.

Amended Claim 3 is dependent on amended claim 1, which defines the seamless enclosure that distinguishes from Barker as described above, and includes a configuration of an inner casing having a plurality of panels hingedly connected together. In Barker separate individual panels within the flexible individual bag are disclosed. For all of the above reasons, reconsideration of amended claim 3 is respectfully requested.

Claim 4 is no longer dependant on claim 1 but on new claim 23 which will be discussed further on.

Claims 5 to 7 have been cancelled therefore the rejection of these claims is obviated.

Claims 8, 10 and 11 are dependent on claim 1 which includes the seamless enclosure having walls formed by a plurality of independent interleaved plies of material not shown in Barker as above-described in response to the rejection of claim 1. Therefore, reconsideration of these claims is requested in light of these comments.

Although claims 12 and 13 have been amended they are considered allowable since they were not rejected by the Examiner.

Claim 14 has been cancelled, however a new claim 23 which is directed to the container for receiving an explosive element has been added. New claim 23 specifically defines a seamless enclosure having walls formed by a plurality of independent interleaved plies of material, the material and number of plies selected to contain fragments projected by the explosion. Barker does not disclose nor suggest a seamless bag defining walls that are made up of a plurality of layers. Therefore, new claim 23 distinguishes over Barker.

Claim 15 is now dependent on new claim 23 and distinguishes over Barker for the same reasons that new claim 23 distinguishes.

Claim 16 has been amended, however it is noted that this claim has not been rejected.

Claim 17 has been cancelled therefore the objection is obviated.

Claims 18 and 19 are now dependent on claim 23 and distinguish over Barker for the same reasons that new claim 23 distinguishes.

Claim 20 has been cancelled therefore the rejection is obviated.

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Claim 21 was considered allowable by the Examiner. The claim was amended to overcome the objection raised in paragraph 3. Also, other editorial changes have been made in order for the language to be consistent.

Claim 22 was considered allowable by the Examiner. The claim was amended for editorial purposes.

New claims 24-27 that are dependent on new claim 23 are submitted for consideration.

Reconsideration of the new set of claims in light of the above comments and the revisions to the claims is respectfully requested.

The Applicant has noted the omission of an IDS and therefore one is being filed simultaneously.

The Applicants believe the present application to be patentable and early and favorable notice is earnestly solicited.

Respectfully,

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